

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Brenda Rae Barthel,

Civ. No. 09-CV-2783 (PJS/JJK)

Plaintiff,

v.

Lake of the Woods County,

ORDER

Defendant.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated October 20, 2009. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Plaintiff's "Application to Proceed Without Prepayment of Fees," (Docket No. 2), is **DENIED**; and

2. This action is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: December 10, 2009

s/Patrick J. Schiltz
Patrick J. Schiltz
United States District Judge